

Rowe Board of Selectmen Meeting  
May 31, 2019  
6:30 P.M.  
Rowe Town Hall – Meeting Room 1

**Board of Selectmen:** Chair Jennifer Morse, Selectman Ed Silva, Selectman Chuck Sokol  
**Administrative Assistant:** Paul McLatchy III  
**Other Attendees:** Tax Collector Sandra Daviau, MLP Manager David Dvore  
**Audience of Citizens:** Loretta Dionne, Joanne Semanie

**Call to Order:** The meeting was called to order by Chair Morse at 6:33 P.M., a quorum of the board present.

**Welcome:** The board members welcomed newly elected member Ed Silva to the board. Ed received the most votes at the annual election on May 18<sup>th</sup>, and will serve a three-year term.

**Organization:** Chair Morse requested that she not be chair for the coming year. Selectman Sokol asked about the duties of the chair, and Chair Morse said she would go over the role with him. With that, Chair Morse nominated Selectman Sokol to be chair, which was seconded by Selectman Silva. The vote was 3-0-0 in favor. Chair Morse agreed to chair the rest of this meeting, with Selectman Sokol assuming the position at the next meeting.

**Liaisons:** In the past, Selectmen have elected to have designated liaisons to various town departments. They have tried to steer away from assigning members to departments that might have some conflicts of interest, but a comment was made that this is a point-person position, not a decision-making role. Selectman Silva offered to take on the DPW liaison position, but also offered to handle Fire and Police instead. Selectman Sokol is willing to be the town hall liaison, provided that the Ethics Commission doesn't see a conflict, as his mother-in-law will be the new Goal Post editor. Chair Morse will liaise with the Fire and Police departments, though Selectman Silva will cover the Emergency Management Department as Chair Morse's husband is the director.

**Municipal Light Plant Updates:** MLP Manager David Dvore informed the Selectmen that there is now service in the hut. Electronics are in, and on Monday there will be some work on the generator concluding with a walk-through on how to operate it. Fiber has been completely strung, and the company is working on installing MSTs, a technology required to get the fiber from the road to the houses. They will be testing a small portion of town next week, and connecting a few volunteer test individuals the week after. He estimates that the system should be up and running by the end of the summer.

Manager Dvore stated that he has tried to save the town money and has been as cautious and careful with the funds as he can be. However, one uncontrollable cost has been the police details. The Police Chief is insisting that any vehicles on the road require a police detail. Manager Dvore agrees that some places require a police presence, but not everywhere. He has already spent approximately \$30,000 on detail costs.

Selectman Silva asked what the liability would be if they didn't use a detail. Manager Dvore was not sure. He did point out that the DPW often takes up part of or an entire lane without a detail. Selectman Sokol said that if nothing else happens between now and the end of the project, he would at least like to see a clear set of guidelines created so that details are used (or not used) in similar situations.

Chair Morse offered to speak with Chief Shippee about setting a clear policy. She will also reach out to police chiefs in other towns to see what they do. Selectman Silva wants to determine if there is a state policy or law on this matter, as he doesn't want to open the town up to liability. Manager Dvore said that police chiefs do have some discretion.

Manager Dvore will meet again with the Selectmen in the future to give a more complete update. He was thanked for coming in, and left the meeting.

**Tax Collector:** Tax Collector Sandy Daviau attended the meeting to discuss her appointment to the position after her retirement on June 30<sup>th</sup>. She questioned the job description she had received, saying it was very generic and didn't provide much detail. Chair Morse explained that this description was a result of combining a list of duties obtained from Ms. Daviau and from descriptions in other towns. That said, since there will be a full-time administrative assistant position who can handle some of the new duties that were being assigned to the role, most of the work the collector currently does will not need to be changed.

Per Ms. Daviau, she has spoken with the Franklin Regional Retirement System, who told her that there is no issue with being reappointed after her retirement, as long as she doesn't work over 960 hours a year. She said that she enjoys the job and likes working with the people, who have been good to her.

The Tax Collector computer is acting up. Ms. Daviau had to get the IT department involved last week, who said that she may end up needing to replace it. It is very slow, and the computer is over five years old. IT will be sending a proposal for a refurbished computer. This would likely qualify for a reserve fund transfers as it is an unforeseen cost. Chair Morse recommended Ms. Daviau contact the company who handles her tax collecting software to see what the cost might be, as it could be expensive. Ms. Daviau said she will do so.

**Gracy House Mold:** A report was received from Walt Baenziger detailing the Gracy House mold problem. In short, it was not a particularly favorable report. It detailed where the problem areas are, and listed some recommendations on how to proceed. Mr. McLatchy will put the report on the website.

Several community members have agreed to serve on a committee to look into this. Chair Morse would like to see the new administrative assistant position help the committee out. Selectman Silva also offered to be a resource and provide technical information. Selectman Sokol made a motion that a Gracy House Committee be formed, and that that committee be tasked with determining the imminent and likely mid- to long-term remediation, repair, and ongoing maintenance projects and associated costs for the continued operation of the Gracy House Building, and to make recommendations to the select board with regard thereto. The motion was seconded by Selectman Silva, and the vote was 3-0-0 in favor. Chair Morse asked that Executive Secretary Janice Boudreau schedule pumping of the septic tank for after July 1<sup>st</sup>, but soon enough so that the new committee can review the information.

Chair Morse made a motion to appoint Ellynn Packard, Joanne Semanie, Mary Paige, Herb Butzke, and Loretta Dionne to the newly formed Gracy House Committee. The motion was seconded by Selectman Sokol, and the vote was 3-0-0 in favor.

**Administrative Assistant Job Description:** Selectman Silva asked why there is both an executive secretary and an administrative assistant position, and was asking for clarification on the delineation of the two roles. Selectman Sokol explained that the administrative assistant is a new position, which expands on the current

part-time position. In previous meetings the board has discussed how other towns often have a town administrator that takes on many of the duties of the selectmen and has greater authority than the current executive secretary. While the board decided not to pursue that particular position at this time, they wanted to take an intermediate step and proceed with an assistant at this time.

At a previous meeting, the board worked with a member of the Finance Committee and went through the various tasks for this person, specifically how much time would be needed on average. They came up with approximately 32 hours a week. On a personal note, Selectman Sokol said that he felt that there will be some settling in and shifting of responsibilities in the town hall as the new position takes form.

Chair Morse said that the Department of Revenue had been requested to do an evaluation of the staffing levels, but that has been postponed. She noted that apparently they are pushing for towns to pursue town administrator positions. Eventually the DOR will come and conduct a review, but that will take some time.

Selectman Silva asked about other people in the position, and past employees. He asked about the job description, and whether that has changed over the years. Per Chair Morse, the position has undergone a fair amount of restructuring in the last decade. Other previous holders of the office had *similar* roles, but not identical.

After reviewing the draft job description, a clarification under the schedule that the position will require four eight-hour days per week was added. With no other changes, a motion was made by Selectman Sokol and seconded by Chair Morse to approve the job description as amended, and to post it immediately with interviews to take place on June 27<sup>th</sup>. The vote was 3-0-0 in favor.

Chair Morse would like to see this position hired by July 1<sup>st</sup>, the start of the new fiscal year. It was agreed to have the deadline for applications by June 21<sup>st</sup>. Applications will be sent to Executive Secretary Janice Boudreau.

**Personnel Review:** Chair Morse offered to enlist the services of Ashfield Town Administrator Kayce Warren. She is willing to come into town and review the positions and the employee policy manual. She is not willing to do it for free at this time, but would be able to do the work sooner than the DOR. Apparently the policy manual has never been reviewed by counsel, and Selectman Silva opined that there are some items in there that shouldn't be. He has many questions and comments about the manual as a whole. Selectman Sokol is open to the idea of bringing in Ms. Warren, but wants to find out how much she will be charging. Chair Morse will look into this.

**Town Clerk Appointment:** Town Clerk Kathy May submitted a letter of resignation, effective May 29<sup>th</sup>. The Board advertised the position locally and received three letters. Brianna Demech, Jennifer Morse, and Paul McLatchy III have all expressed interest. Chair Morse informed the Board that both she and Ms. Demech have withdrawn their letters of interest. A motion was made by Selectman Sokol and seconded by Selectman Silva to appoint Mr. McLatchy as town clerk. Chair Morse asked if Mr. McLatchy would have the time to handle the duties of the office with his other roles, and he responded he would. The vote was 3-0-0 in favor.

**School Employee Reimbursements:** Treasurer Semanie reported that everyone who is due a reimbursement has been paid. Two individuals have used their refund to buy back some retirement. Treasurer Semanie does

not think we can pursue refunds further than the beginning of 2018. There are still a few things to go over and a final number still needs to be figured out, but that will likely occur after July 1<sup>st</sup>.

**DPW Buyback:** DPW Superintendent Lance Larned still has a large number of hours on the books, due to his accumulation of comp time and annual vacation allotment. He has requested a buyback of two weeks of vacation, along with being able to roll over two weeks into the next fiscal year.

Discussion ensued about the policy around comp time, and how it factored into this position, which is a salaried job. Selectman Silva asked if a policy could be looked into to cover salaried employees. Chair Morse said that something will need to be looked into, both in terms of a policy and specific to Superintendent Larned. There is nothing in his personnel file explaining his accumulation of comp time, and the only document covering his role is a digital document from 2015.

No one is questioning Superintendent Larned's accumulated time, simply what the arrangement is that has been set up as he is the only salaried person eligible for it. This is due to the large number of overtime hours that are put in each winter whenever the roads need plowing.

A motion was made by Chair Morse and seconded by Selectman Sokol to buy back two weeks of vacation and allow him to carry forward two weeks of vacation. The vote was 3-0-0 in favor.

**Old Home Day:** Fireworks for Old Home Day have been scheduled. DJ Bobby C will entertain later in the evening, a bouncy house and water slide will be located at the lake, and the Historical Society is helping to sell tickets for the annual chicken barbecue. There will be a nature talk from the Southern Vermont Museum, though a time has yet to be determined. A motion was made by Chair Morse and seconded by Selectman Sokol to sign the contract with Atlas Fireworks for \$5,000 for a display on July 13<sup>th</sup>. The vote was 3-0-0 in favor.

**Personnel Files:** Chair Morse said that in her opinion, only two people should have access to the personnel files: the administrative assistant and the treasurer. Selectman Sokol agreed. Mr. McLatchy will distribute the two keys between himself and Treasurer Semanie on Monday. The Selectmen decided to move the cabinets from the meeting room into the Administrative Assistant's office. This will be handled through the DPW. The Selectmen will also surrender their keys to that office to limit who has access.

**Pole Hearing Request:** A request was received from Kirby (Lark) Thwing, who chairs the Four Town Broadband Committee. The request asks for a pole hearing which would locate a 60' pole on Monroe Hill Road. This would allow them to provide access to the residents of Monroe Bridge. Selectman Sokol informed the board that part of the arrangement is that in exchange for allowing a pole, this group would provide internet access to the two houses on Tunnel Road that won't be getting fiber strung to their homes. A pole hearing will be scheduled for June 27<sup>th</sup>.

**Goal Post Policies:** At the moment, there are very few existing policies in relation to the Goal Post, and all policies have been set by the Planning Board. In regards to forming new policies, Selectman Sokol suggested deferring some of the drafting to the new editor. Chair Morse asked Mr. McLatchy to speak with Susan Williams to discuss setting up a collection of policies and procedures. There will be two categories- those dealing with the logistics of producing/printing the newsletter, and those that regulate the content. Chair Morse noted that both she and former Selectman Dennis May wanted to see the Goal Post produced in town.

**Employee Benefits:** Administrative Assistant McLatchy has been in touch with Rich Datz from American Fidelity to learn more about their products and services. One product they offer is a flex-spending account, which the town does not currently offer. American Fidelity offers this service for free, but in turn, must be allowed to offer several of its other products. While the plan was to originally set this up prior to July 1<sup>st</sup>, that goal is now no longer feasible as more research will be needed on contracts with other insurance agencies. Mr. McLatchy will produce a report and recommendation in the future.

**Office Hours:** Chair Morse would like to have all regular positions have posted office hours on their door. In particular, there was focus on the positions of treasurer and accountant. Treasurer Semanie agreed to post hours for 9-1 on Mondays, but explained that her job changes every week in terms of hours she puts in. As she is an employee that is paid by stipend, there are no “set” hours for her. Chair Morse will talk with Accountant Tracy Baronas. Selectman Silva asked if other employees are allowed to have flexible hours like the treasurer. Some are, while some must have set hours.

**Library Grant:** A grant to establish a “library of things” in the amount of \$2,500 was applied for and awarded to the town. A motion was made by Chair Morse and seconded by Selectman Silva to sign the contract for the library grant. The vote was 3-0-0 in favor.

**Line-Item Transfers:** The Selectmen acted on the following transfers: (Note: FY19-LIT-3 has not been received yet)

FY19-LIT-1: A request from the assessors to move \$1,000.00 from account #01-5-141-000 (Assessors Stipends/Wages) to account #01-5-141-400 (Assessors Operations). No reason was given.

FY19-LIT-2: A request from DPW Superintendent Lance Larned to move \$6,125.90 from account #01-5-422-400 (Roads/Maintenance) to account #01-5-423-400 (Snow & Ice Removal). No reason was given on the form, but this will be used to zero out the winter roads account, which had been authorized to deficit spend. This will avoid having to add it to the tax recap next fiscal year.

FY19-LIT-4: A request for the transfer of \$1,500.00 from account #01-5-151-400 (Legal Expenses) to a new account for GASB-75 payment. This is due to the way the accounts were set up to pay for reports.

FY19-LIT-5: A request for the transfer of \$721.09 from account #01-124-400-54 (Print Town Reports) to a new account for GASB-75 payment. This is due to the way the accounts were set up to pay for reports.

FY19-LIT-6: A request for the transfer of \$778.91 from account #01-5-124-400-52 (General Administration) to a new account for GASB-75 payment. This is due to the way the accounts were set up to pay for reports.

A motion was made by Chair Morse and seconded by Selectman Sokol to approve all five line-item transfers. The vote was 3-0-0 in favor. These will be forwarded to the Finance Committee for their concurrence.

**Bylaw Review Committee:** The Bylaw Review Committee has finished its review of the general bylaws and has submitted two documents- one with substantive changes, and one with non-substantive changes. The substantive changes will need to be reviewed by the Board before being sent off to town counsel. The non-

substantive changes will need to be voted on by the Board, then sent to the town clerk for approval. The non-substantive changes do not require town meeting vote. The Board will review the non-substantive changes sooner, and will review the larger changes after July 1<sup>st</sup>.

**Potter Road Flag:** Chair Morse would like to see the Liberty Flag flying at the bottom of Potter Road taken down and replaced. It is currently in tatters. The flag was donated by Jack Williams at the town's bicentennial, and has been there ever since. Chair Morse is willing to donate a new flag. Selectman Silva will speak with DPW Superintendent Larned to have the crew take it down.

**Warrant Designee:** Town Accountant Tracy Baronas informed Mr. McLatchy that under state law, boards and committees can now designate one of their members to sign off on warrants and bills. This would allow for one person to approve the vendor/payroll warrants each week, rather than requiring two signatures. The power of the other two members is not eliminated; this just makes the process easier. With meeting nights being moved to Thursdays, this would allow someone to sign on Wednesday and keep the current flow. A motion was made by Chair Morse and seconded by Selectman Silva to adopt Chapter 41, §56 of the Massachusetts General Laws and to designate Selectman Sokol as the signing designee. The vote was 3-0-0 in favor. Selectman Sokol will need to deliver a report at each meeting detailing his findings.

**MLP Manager Stipend:** At the annual town meeting, voters approved an annual stipend for the MLP Manager. Treasurer Semanie requested information on how frequently this is to be paid out. After a brief discussion, it was agreed that the stipend should be paid quarterly, like other stipends. If he has an issue with this, the matter can be revisited.

**Fire Department Report:** The report was tabled until the Board can meet with Fire Chief Dennis Annear.

**Mohawk Trail Woodlands Partnership:** A letter was received from Susan Purser of Becket urging caution on joining the MTWP. The Board has already sent letters indicating interest in joining this regional organization, as it might free up some state and/or federal funding.

**FCCIP Letter:** A letter was written from FCCIP Building Commissioner James Hawkins to Tara Mason and Edward Whitaker of 23 Pelham Drive, indicating their desire to rent out their home would require a special permit from the Planning Board. No action was taken.

**Solar Credits:** Mr. McLatchy was tasked to look into the solar credits being generated by the solar arrays on the DPW building. Currently there are approximately \$5,700 in solar credits on town accounts. National Grid will not issue a check reimbursement, but will allow the re-allocation of credits to different accounts, either as a percentage or in a dollar amount. This can only be done once a year. Because the credits represent several years' worth of solar generation, it is impossible to figure out how much to assign to any one account as a percentage. Mr. McLatchy presented a recommendation that uses the credits to pay for the Park's two accounts, all three DPW accounts, and applies the rest to the town hall. Next year there will be a clearer picture as to how many credits have been produced, and how they should be allocated in the future. The Selectmen gave Mr. McLatchy permission to shift the credits as presented.

**META Grant:** Mr. McLatchy is asking for permission to apply for a Municipal Energy Technical Assistant (META) Grant. By applying for this grant, it would allow the town to hire a consultant who could help to determine if certain projects are worth pursuing, such as heat pumps for the fire station and/or town hall.

Permission has to be given to apply. A motion was made by Selectman Sokol and seconded by Selectman Silva to authorize Mr. McLatchy to apply for the META grant. The vote was 3-0-0 in favor.

**Green Communities:** Mr. McLatchy updated the Board on the status of the Green Communities program. He has finished updating most of the energy consumption reports by going through old records in the attic. Moving forward this will be handled more regularly. Once the annual report has been filed, the town will be eligible to apply for up to \$250,000 in funding from the state.

**Emergency Action Plan Proposal:** A proposal from CDR Maguire has been received to prepare an emergency response plan for each of the town's two dams. This is a requirement under state law. Each plan has a set fee of \$3,500, and the town has already appropriated \$7,000 for this. A motion was made by Selectman Sokol and seconded by Chair Morse to accept the proposal by CDR Maguire for emergency action plans for Town of Rowe dams. The vote was 3-0-0 in favor.

**Oil Tank Removal:** A proposal was received by Davenport Trucking in the amount of \$6,500 for oil tank removal. Selectman Silva asked if anyone had tried to get multiple bids/proposals for this project. Chair Morse would like to find out if Executive Secretary Boudreau did the three-bid worksheet when seeking a quote. Though multiple bids are not required as it is under \$10,000, the Board agreed to table the matter for more information.

**Attic:** Mr. McLatchy presented a plan to reorganize the attic. At this time, there are many boxes just loosely strewn about, with little for organization. The plan would involve purchasing a number of shelves and new boxes that will fit on those shelves. He is estimating it will be around \$1,000 to complete this project. The Selectmen gave approval to spend up to \$1,000 on attic organization.

**King's Highway Bridge Permit:** An application needs to be submitted to the Army Corp of Engineers that will then be submitted to the Conservation Commission. A motion was made by Selectman Sokol and seconded by Selectman Silva to sign the permit. The vote was 3-0-0 in favor.

**Safe Lock Update:** The safe combination dial has given many town hall workers a hard time over the years. Mr. McLatchy looked into replacing it with a digital lock, but was informed by the locksmith that it is simply not possible to do so without replacing the door. It's not a matter of financing, but the way the door is set up. Selectman Sokol suggested drilling out the dial and replacing it with a padlock, but Ms. Semanie in the audience questioned whether that would compromise fire integrity.

**Town Counsel Offer:** A letter was received from Leonard Kopelman, founder of the Kopelman and Paige law firm. He has since departed his law firm and settled with Brooks & DeRensis, and is advocating that towns engage their services. The Selectmen tasked Mr. McLatchy with looking into the costs of both Brooks & DeRensis as well as KP Law before making any decisions.

**Police:** Selectman Silva asked how many tickets are being written in the town, and whether the town is seeing any moneys from these tickets. He noted that there are a lot of out-of-area speeders, and that tickets might be a way to improve public safety while also benefitting the town financially. Chair Morse will speak with Police Chief Shippee.

**Unemployment Assistance:** Selectman Silva asked Treasurer Semanie whether she had applied for a hardship status with the state to help alleviate some of the bill. Treasurer Semanie responded that she had, and that they wouldn't budge. They are assessing the town the entire amount of the bill.

**Minutes:** Minutes were tabled until the next meeting.

**Employee Morale:** This subject has been discussed at a prior meeting. Chair Morse said an employee has spoken with her about morale in the town government. Perhaps a plan could be made to help improve this. Selectman Silva questioned whether it might be useful to bring everyone together and let them air their grievances.


**Warrants:** Payroll and Vendor warrants P-24 and W-25 were signed by designee Chuck Sokol.


**Next Meeting:** The Board will meet on Wednesday, June 12<sup>th</sup>, and then assume a regular meeting schedule of every other Thursday starting June 27<sup>th</sup>.


**Adjourn:** A motion was made by Chair Morse and seconded by Selectman Sokol to adjourn. The vote was 3-0-0 in favor, and the meeting was closed at 9:27 P.M.

*Respectfully Submitted,*  
Paul McLatchy III  
Administrative Assistant

Approved on: 6/27/2019

  
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Jennifer Morse, Chair

  
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Ed Silva, Selectman

  
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Chuck Sokol, Selectman

Documents:

1. Gracy House Inspection Report
2. Administrative Assistant to the Boards Job Description
3. Town Clerk Letter of Interest – Jennifer Morse
4. Town Clerk Letter of Interest – Kathy Sprague (On Behalf of Brianna Demech)
5. Town Clerk Letter of Interest – Paul McLatchy III
6. Pole Hearing Request
7. Atlas Fireworks Contract



8. Department of Environmental Protection Grant
9. Line Item Transfers (Assessors, DPW, Administration x3)
10. Liberty Flag Pictures
11. MGL C. 41 S. 56 – Warrants for Payment of Bills
12. Logs at Stump Dump
13. Census Program Letter
14. Voluntary Tech Assistance Report
15. Letter from Purser Re: MTWP
16. FCCIP Letter re: 23 Pelham Drive
17. Minutes (5/1/19, 5/13/19, 5/17/19, 5/20/19)
18. Executive Secretary Updates
19. Solar Credit Proposal from Administrative Assistant
20. META Grant Request
21. Emergency Action Plan Proposal from CDR Maguire
22. Davenport Oil Tank Removal Proposal
23. Attic Documents (Pictures, Plan, Equipment/Ideas)
24. Letter from Attorney Leonard Kopelman